

EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

RHONDA BURNETT, JEROD BREIT,
JEREMY KEEL, HOLLEE ELLIS, and
FRANCES HARVEY, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

vs.

THE NATIONAL ASSOCIATION OF
REALTORS, REALOGY HOLDINGS
CORP. (n/k/a ANYWHERE REAL
ESTATE, INC.), HOMESERVICES OF
AMERICA, INC., BHH AFFILIATES,
LLC, HSF AFFILIATES, LLC, RE/MAX
LLC, and KELLER WILLIAMS REALTY,
INC.,

Defendants.

CASE NO. 19-CV-00332-SRB

DECLARATION/AFFIDAVIT OF
CHARLES ALFORD, PH.D.

DECLARATION/AFFIDAVIT OF CHARLES ALFORD, Ph.D.

I, Charles Alford, hereby declare and state the following:

1. My name is Charles Alford. I am over 21 years of age, and I am a resident of Greenville, County, South Carolina. I am competent to give this Declaration/Affidavit, and I am under no disability preventing me from testifying truthfully to the information set forth herein,
2. I am compensated at the hourly rate of \$600 for my work on this matter, including the preparation of this Declaration/Affidavit. I have no financial interest in the outcome of the case, and my compensation is not dependent on its outcome.
3. A Curriculum Vitae summarizing my educational experience is attached. I have been qualified as a forensic economics expert in various federal, state, and family courts and the National Labor Relations Board. I have over 50 years of experience in litigation matters. Except for

family court issues, all of my litigation-related work involves the analysis of economic damages and consideration of business values.

4. In formulating the opinions stated herein, I have reviewed the following documents.

- a. *Plaintiffs' Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class and Appointment of Settlement Class Counsel*, filed 2/29/24.
- b. *Plaintiffs' Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class and Appointment of Settlement Class Counsel*, filed 10/5/23.
- c. *Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement*, filed 2/1/24.
- d. Forms 10-K filed by Realogy Holdings Corp. with the United States Securities and Exchange Commission for fiscal years ended 12/31/17 and 12/31/19.
- e. Form 10-K filed by Anywhere Real Estate, Inc. with the United States Securities and Exchange Commission for fiscal year ended 12/31/23.
- f. Press Releases issued by Realogy Holdings Corp. which provide financial results for full years 2014-2021.
- g. Press Releases issued by Anywhere Real Estate, Inc. which provide financial results for full years 2022-2023.
- h. Press Releases issued by RE/MAX which provide financial results for full years 2014-2023.
- i. Press Release issued by Keller Williams which summarizes year-end results for 2022.
- j. United States Department of Housing and Urban Development, Office of Policy Development and Research, "U. S. Housing Market Conditions -- National Housing Market Summary and Data, https://www.huduser.gov/portal/ushmc/hd_home_prices.html, visited 4/9/24.

5. *Plaintiffs' Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class, and Appointment of Settlement Class Counsel* indicates, "the Proposed Settlement Agreement provides that Anywhere will pay a Total Settlement Amount of ...\$83,500,000 for the benefit of the settlement class" and "RE/MAX will pay a total Settlement Amount of ...\$55,000,000 for the benefit of the Settlement Class.

6. *Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement* indicates, "The Settlement provides for a \$70 million common fund" to be paid by Keller Williams.
7. I have considered these settlement amounts from both the perspectives of the financial conditions and performances of the Defendants and also from the perspectives of the Plaintiff class members.

Realogy Holdings Corp./Anywhere Real Estate, Inc.

8. Realogy Holdings Corp. (through 2021)/Anywhere Real Estate (thereafter) is a publicly traded entity. As such it publishes detailed financial information quarterly and at the end of each fiscal operating year.
9. Plaintiffs argue in *Plaintiffs' Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class, and Appointment of Settlement Class Counsel* that \$83.5 million is "the highest that the Class could reasonably expect at the current date, and that the company's financial condition makes it unlikely that a higher amount could be paid in the future even if Plaintiffs were to obtain a successful trial verdict against Anywhere." Plaintiffs offer as support of this conclusion four points:
 - a. The \$83.5 million proposed settlement is over 13% of the company's total market capitalization.
 - b. The company's cash and cash equivalents total only \$179 million.
 - c. The company's cumulative trailing three-year net income is negative \$297 million.
 - d. Anywhere's having lost \$119 million in the first six months of 2023, Plaintiffs write, "There is no indication that residential real estate sales will increase significantly in the future, and any continued losses suffered by the company in future periods would only create more risk for the classes in delaying settlement."
10. These arguments are discussed in following paragraphs.

- a. *Market capitalization* – This measure is simply the current share price multiplied by the number of shares outstanding. Its primary determinant is stock price, which fluctuates with macroeconomic stock market conditions. But the measure is also affected by the issuance or retirement of outstanding shares. For example, while Plaintiffs point out that the total market capitalization was \$634 million on October 5, 2023, they fail to acknowledge that market capitalization increased by 8.9% in the previous six months. By year-end 2023, the market capitalization was \$896 million, and currently has fallen back to \$640 million.¹ Neither the operating performance nor the financial condition of Anywhere has fluctuated this wildly, conclusively showing that market capitalization is a poor indicator of ability to pay.

Moreover, the enterprise value of Anywhere (a much more relevant measure of true market value) has varied from \$3.65 to \$4.14 billion since 3/31/23,² and common stock equity at year-end 2023 was \$1.7 billion.³ Therefore in light of meaningful measures of the company's worth, the \$83.5 million settlement is only 2% to 5% of the company's value.

- b. *Cash and cash equivalents* – Plaintiffs argue that with only \$179 million in cash and cash equivalents, Anywhere cannot afford to pay more than \$83.5 million as a settlement, implying that cash and cash equivalents is the only source of funds available for the payment. However the annual balance sheets and cash flow statements published in press releases by the company show that in years 2020-2023 cash used in investing activities plus cash used in financing activities averaged 81% of the beginning cash balance in each operating year.
- c. *Trailing three-year cumulative loss* – Plaintiffs accurately report a trailing three-year cumulative net loss of \$297 million. Plaintiffs are also careful to point out that this measure is based on generally accepted accounting principles (GAAP). Plaintiffs fail to note that in its own press releases, the company tends to emphasize non-GAAP measures of performance and in fact offers detailed explanations as to the importance

¹ <https://finance.yahoo.com/quote/HOUS?/key-statistics>, viewed 4/8/24.

² <https://finance.yahoo.com/quote/HOUS?/key-statistics>, viewed 4/8/24.

³ <https://finance.yahoo.com/quote/HOUS/balance-sheet>, viewed 4/8/24.

of these measures, particularly Free Cash Flow, Adjusted Net Income, and Operating EBITDA (Earnings Before Interest, Taxes, Depreciation, and Amortization). As a matter of fact, on its website page for investors, Anywhere lists four “Full Year 2023 Key Facts,” These are (1) 322,500 Global Affiliated Agents, (2) 979,000 Closed Transactions, (3) \$5.6 billion revenue, and (4) \$200 million Operating EBITDA. (See Exhibit1.) Of all financial operating measures which it could have chosen to mention to its stockholders and to the public, it highlighted only revenue and Operating EBITDA.

Annual press releases show that for the four-year period 2020-2023, the company’s reported net income average negative \$100 million. **But**, during the same period its own non-GAAP measures of Free Cash Flow, Adjusted Net Income, and Operating EBITDA averaged positive \$254 million, \$126 million, and \$569 million, respectively.

Finally, *Plaintiffs’ Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class, and Appointment of Settlement Class Counsel* identifies the damages period as having begun in 2014 and continuing to the date of notice. This is a period of at least nine years (2015-2023). During this period of damages, Realogy/Anywhere reported to its shareholders total Operating EBITDA (the operating measure highlighted on its website) of \$5.8 billion, or an average of \$649 million annually, and Free Cash Flow of \$2.8 billion, or an annual average of \$319 million.

- d. *Indications of the future of the residential real estate market* – Contrary to Plaintiffs’ assertion that “there is no indication that residential real estate sales will increase significantly in the future,” Anywhere states in its February 15, 2024 news release,⁴ “Looking ahead to 2024, the Company expects *more normal seasonal volumes throughout the year.*” [*Italics added*], although it did expect first quarter EBITDA to be negative. Additionally, management stated in the news release, “The Company expects to realize further cost savings of \$100 million in 2024.”

⁴ “Anywhere Real Estate Inc. Reports Full Year 2023 Financial Results,” 2/15/24.

RE/MAX

11. Plaintiffs also emphasize recent losses of RE/MAX, its low cash balance, and its low net worth. Similar to Realogy/Anywhere, in addition to SEC filings, RE/MAX Holdings issues annual news releases summarizing its operating results and financial condition. RE/MAX also publishes non-GAAP measures of performance similar to those published by Realogy/Anywhere, including Adjusted Net Income, Adjusted EBITDA, and Adjusted Free Cash Flow. These measures for years 2020-2023, along with reported (GAAP) net income/(loss) are shown below. While Plaintiffs conveniently selected only the Net Income measure, the fuller picture shows that RE/MAX operating results, while having recently fallen, are not as dire as the Plaintiffs have depicted in the filings which I have reviewed.

Year	Net Income (\$m)	Adjusted Net Income (\$m)	Adjusted EBITDA (\$m)	Free Cash Flow (\$m)
2020	\$ 11	\$58	\$ 93	\$65
2021	(\$ 16)	\$76	\$120	\$62
2022	\$ 6	\$68	\$122	\$62
2023	(\$ 69)	\$42	\$ 96	\$36

12. Moreover, during the approximate damages period of 2015-2023, RE/MAX earned total adjusted EBITDA of \$928 million (\$103 million yearly average) and total free cash flow of \$525,000,000 (\$58 million yearly average).
13. Regarding the “low” balance of cash and cash equivalents (\$83 million at year-end 2023), this amount is indeed lower than in recent years, but well within the range of \$51 million to \$126 million during the damages period.
14. Additionally, Plaintiffs point out that RE/MAX’s net worth was only \$24 million on June 30, 2023. That is correct. However, Plaintiffs fail to point out that “Total stockholders’ equity attributable to RE/MAX Holdings, Inc. was \$478 million on that date, the difference attributable to negative non-controlling interests held by RE/MAX.

15. Finally, RE/MAX management is optimistic regarding the future, so class members' "risk" of further deterioration, as expressed by Plaintiffs, is unsupported. RE/MAX Holdings Chief Executive Officer stated in February 2024, "Looking ahead to 2024, we believe there are many reasons to be optimistic – encouraging interest rate trends, improving customer sentiment, and ongoing pent-up demand bode well for progressively better housing market performance moving forward."⁵

Keller Williams

16. Keller Williams is a privately owned entity. I do not have financial statements and cannot opine regarding its operating performance or financial condition. However, in March 2023 Keller Williams claimed to be "the world's largest real estate franchise by agent count" and that it had "achieved significant worldwide growth..." in 2022. In that year "KW agents closed more than 1.1 million transactions" and "KW agents closed \$472.9 billion in sales volume."

Class Members' Prospective Awards


17. Plaintiffs write in *Plaintiffs' Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class and Appointment of Settlement Class Counsel*, "Plaintiffs estimate that Settlement Class Members number in the tens of millions...." Plaintiffs therefore believe that the Settlement Class Members number at least 20 million.

18. Settlement amounts to be paid by Anywhere, RE/MAX, and Keller Williams total \$208.5 million.⁶ Therefore the average settlement per Settlement Class Member is at most \$10.43. (\$208.5 million/20 million members. if the Settlement Class Members number more than 20 million, as implied by Plaintiffs, the settlement per class member is less than \$10.43.)

⁵ "RE/MAX Holdings, Inc. Reports Fourth Quarter and Full Year 2023 Results," 2/22/24.

⁶ *Plaintiffs' Motion for Preliminary Approval of Settlements with Anywhere Real Estate and Re/Max, Certification of Settlement Class and Appointment of Settlement Class Counsel*, 2/29/24.

19. The average of median annual existing home sales prices for years 2015-2023 (the nine full calendar years in the damages period), was \$295,165.⁷ If Settlement Class Members' damages were only 1% of selling prices, or an average of \$2,952, the maximum \$10.43 per Settlement Class Member represents less than one-half of one percent of damages per Settlement Class Member.

 4/10/24

Charles L. Alford

SWORN to before me this

10 day of April, 2024.

 (SEAL)

Notary Public for South Carolina

My Commission Expires: 8/5/2031

⁷ United States Department of Housing and Urban Development, Office of Policy Development and Research, "U. S. Housing Market Conditions -- National Housing Market Summary and Data, https://www.huduser.gov/portal/ushmc/hd_home_prices.html, visited 4/9/24.

Charles L. Alford, Ph.D.
Overlook Executive Park
109 Laurens Rd.
Building 2, Suite C
Greenville, SC 29607

Office: (864) 233-8593
Fax: (864) 233-4819
charlie@cla3.com

Education

Ph.D. in Economics and Business Administration; University of Alabama, 1972;
Major – marketing; Minors – economics and quantitative methods.

B.A. in Economics; Wofford College, 1968.

Teaching and Administrative Experience

Professor Emeritus (2003), James C. Self Professor of Business Administration (1994), Professor (1983), Associate Professor (1976), Assistant Professor (1971) of Economics and Business Administration, Furman University.

Chair, Department of Economics and Business Administration, Furman University, 1976 – 1985.

Chair, Furman University Faculty, 1993 – 1995.

Faculty Athletic Representative to The Southern Conference and NCAA, 1995 – 2003.

Teaching Assignments at Furman

Economics: macroeconomics, microeconomics, urban economics, personal finance.

Business Administration: principles of marketing, marketing research, marketing problems, marketing management (graduate level), quantitative methods for business, experiential learning in business.

Statistics: graduate and undergraduate.

Director of the Furman Economics and Business Administration Internship Program.

Publications

“The Economist’s Role in Wrongful Death Cases,” with John G. Fulmer, *South Carolina Trial Lawyers Bulletin*, October, 1974.

“An Investigation into the Effects of Selected Variables Upon Barriers to Entry in Manufacturing Industries,” *Southern Marketing Association Proceedings*, 1974.

“New Product Idea Generation: A Case Study of Household Cleaners,” with J. Barry Mason, *Journal of Advertising Research*, Spring, 1974.

“The Effects of Oral vs. Written Two-Sided Messages,” with J. M. Wilkerson, *Journal of the Academy of Marketing Sciences*, Summer, 1976.

Succeeding in the Free Enterprise System, CORBIA – Council of Resources, 1978. A textbook written for the South Carolina Veterans Administration.

“Business Goodwill in South Carolina,” with Katherine Tiffany and Peter C. Tiffany, *South Carolina Lawyer*, May, 2011.

Invited Lectures

“In Defense of Advertising,” Wofford College, 1976.

“The Role of Marketing Research in the Business Enterprise,” Wofford College, 1977.

“The Changing Marketing Concept,” Sales and Marketing Executives Club of Greenville, 1978.

“What Really Matters,” L. D. Johnson Memorial Lecture, Furman University, 1983.

Numerous speeches to local service, professional, and business organizations on business strategies and business valuation.

Co-presenter with Peter Tiffany, Timothy Madden, and Thomas Traxler, “2011 Family Law Intensive: Tax Returns, Other Financial Records & Valuation,” October 2011.

Professional Affiliations

American Economic Association
National Association of Forensic Economics

Awards and Honors

Western Electric Fund Award for innovative teaching, presented by the American Assembly of Collegiate Schools of Business, 1982.

Faculty Internship, Henderson Advertising Agency, 1972.

NDEA Fellowship, University of Alabama.

Wall Street Journal Award, Wofford College.

Listed in *Who's Who Among Expert Witnesses*.

Other Professional Activities

Professional Associations – Attended, presented papers, discussed papers, chaired sessions, and judged papers at numerous professional association meetings.

Consulting

Have been recognized in Federal District Courts, state courts in South Carolina, North Carolina, Georgia, and Tennessee, South Carolina Family Courts, and the South Carolina Public Service Commission as an expert in economic and business affairs, including the following areas.

- valuation of closely held companies
- review of company performance and condition
- forecasting of sales and profits
- consideration of economic consequences of alimony and child support payments
- equitable distribution of marital assets
- application of South Carolina Department of Social Services Child Support Guidelines
- valuation of defined benefit pension plans
- computation of economic loss due to death, disability, and termination
- computation of lost business profits
- unfair trade practices
- antitrust violations

Have been appointed as the court's expert in South Carolina Family Court, South Carolina Circuit Court, and Masters in Equity in Greenville and Anderson counties.

Have been retained by plaintiff's attorneys, defendant's attorneys, United States Department of Justice, and insurance companies in evaluation of economic loss.

Have served as a consultant in valuation of numerous closely held companies outside the context of litigation, including manufacturers, wholesalers, retailers, professional associations, and personal service companies.

Other consulting experience includes market research and analysis, corporate image research, and development and implementation of strategic plans.

Have served on the local advisory boards of a bank, commercial real estate development firm, and travel agency.

Community Activities

Past service on Travelers Rest Area Council, vice chairman, director, chair of Education Committee, co-chair of Economic Development Committee.

Past service on Travelers Rest Home Town Association, director, treasurer.

Charles L. Alford, Ph.D.
2019 Depositions, Trials & Arbitrations

Date	Deposition, Trial or Arbitration	Attorney	Case	Type of Court	Location
3/19/2019	D	Manton M. Grier	W. Lee Flowers & Co., Inv. v. Bumble Bee Foods, LLC; Tri-Union Seafoods, LLC d/b/a Chicken of the Sea International; Thai Union Group Public Company, Ltd.; Starkist Co.; Del Monte Corporation; Dongwon Industries Co. Ltd.; Lion Capital LP; Lion Capital (Americas), Inc.; and Big Catch Cayman LP aka Lion/Big Catch Cayman LP	US District Court	Southern District of California
3/20/2019	D	Francis M. Hinson	David L. Scheer, as Personal Representative of the Estate of Matthew J. Scheer v. Nirlep A. Patel, M.D., Southern Myrtle Inpatient Services, LLC, and Grand Strand Regional Medical Center	Common Pleas	Horry County
3/22/2019	D	Christopher J. Moore	Sara Belfore v. Ford Motor Company and Family Auto of Anderson	Common Pleas	Anderson County
4/3/2019	T	Lynn Seithel	Bonnie Barton and Seth Barton, Individually, and as Representative of The Estate of Stephanie Barton and Bonnie Barton as Guardian of Ethan Barton v. Carolinas Physician Network d/b/a Carolinas Health Care System, Lake Park Family Practice, Douglas S. Chen, M.D., Dawn M. Hale, N.P., and Marlene Traywick, N.P.	General Court of Justice Superior Court Division	Union County
4/22/2019	D	Andrew W. Creech	Elizabeth Tunney Guffey, as Administrator of the Estate of James Frank Guffey v. Gaston Memorial Hospital, Inc., d/b/a Caromont Regional Medical Center; Caromont Health, Inc.; Caromont Medical Group, Inc.; Amir Rasheed Ahmed, M.D.; East Carolina Aesthetics Associates, PLLC; Latasha M. Mohr, CRNA; Gaston Anesthesia Associates, P.A.; and Thomas E. McNiff, III, M.D.	General Court of Justice Superior Court Division	Gaston County
5/29/2019	D	Francis M. Hinson	Beverly Rabon as PR of the Estate of Hilario Guzman v. Gina A. Martin, M.D. and Carolina Care, P.A.	Common Pleas	Richland County
6/11/2019	T (de bene esse)	Francis M. Hinson	Robert Kenneth Hilliard v. Southern Health Partners, Inc., Charles A. Bush, M.D., and Marlboro County	Common Pleas	Marlboro County
7/18/2019	D	Elizabeth Waldrep	Vicki Littlefield v. Paul W. Cromer, Jr.	Common Pleas	Anderson County
7/22/2019	D	Steven R. LeBlanc	The Tool Shed, Inc. v. Mattoon Rural King Supply, Inc. d/b/a Rural King Supply	US District Court	Greenville Division
8/13/2019	T	Robert F. Goings	Nichole Michelle Bibbs, individually and as natural mother of minors Christian Smith, Naheim Smith, and Shontavious Smith v. Eva L. Holmes	Common Pleas	Edgefield County
8/14/2019	D	Deborah G. Casey	Mary Elizabeth Barnhardt Vincent and Joseph B. Vincent, Jr. v. The Charlotte Mecklenburg Hospital Authority d/b/a Carolinas Medical Center Northeast, Atrium Health, and Carolinas Healthcare System; Carolinas Physicians Network, Inc. d/b/a Northeast Neurology and Carolinas Hospitalists Group at Carolinas Medical Center Northeast; Health Network, Inc.; Leon Britton, M.D.; Jessica Lisa McCutcheon, M.D., and Chut Sombutmal, D.O.	General Court of Justice Superior Court Division	Cabarrus County
8/19/2019	D	K. Jay Anthony	Ashley and Benjamin Remick v. D.R. Horton, Inc., RL Grading, LLC, VL Concrete, Inc., and Jesus Hernandez Alvarez	Common Pleas	Spartanburg County
8/22/2019	D	D. Reece Williams, III	Colen R. Lindell and Shelley Wyndham Lindell, individually and as Personal Representative of The Estate of Margaret Lubov Lindell v. Aiken Regional Medical Centers, LLC, Michael Annunziata, M.D., Nathan Miller, M.D., Charles C. Eaves, D.O., and Alfonso Gay, M.D.	Common Pleas	Aiken County
9/10/2019	D	Bert G. Utsey, III	Melvin R. Riddle v. Cannon Memorial Hospital, Inc. d/b/a AnMed Health Cannon, Michael L. Dillard, M.D., Michael E. Donald, M.D., and James C. Caldwell, M.D.	Common Pleas	Pickens County
9/11/2019	D	Francis M. Hinson	Todd McNelis and Jennifer McNelis v. Palmetto Emergency Physicians of Berkeley County, LLC, Robert Anders, M.D., and Roper St. Francis Healthcare, d/b/a Roper Berkeley Hospital	Circuit Court	Berkeley County
9/24/2019	T	Elizabeth Waldrep	Vicki Littlefield v. Paul W. Cromer, Jr.	Common Pleas	Anderson County
10/29/2019	D	Paul S. Landis	Chuna Fory and Brian Fory v. Eric Dunbar and Sunland Logistics Solutions, Inc.	Common Pleas	Richland County
11/6/2019	T	D. Reece Williams, III	Colen R. Lindell and Shelley Wyndham Lindell, individually and as Personal Representative of The Estate of Margaret Lubov Lindell v. Aiken Regional Medical Centers, LLC, Michael Annunziata, M.D., Nathan Miller, M.D., Charles C. Eaves, D.O., and Alfonso Gay, M.D.	Common Pleas	Aiken County
11/14/2019	D	Brian P. Murphy	Tara Taylor v. Fluor Corporation and Fluor Government Group International, Inc.	US District Court	District of South Carolina
12/3/2019	T	George Campbell Gregory J. English	Robert Redmond v. David Raad, et al.	Common Pleas	Anderson County

Charles L. Alford, Ph.D.
2020 Depositions, Trials & Arbitrations

Date	Deposition, Trial or Arbitration	Attorney	Case	Type of Court	Location
1/27/2020	D	Carl D. Hiller	William Cansler and Teresa Cansler v. IX WR 3023 HSBC Way, LP, et al.	Common Pleas	Lancaster County, South Carolina
2/5/2020	T	K. Jay Anthony	Ashley Remick and Benjamin Remick v. D.R. Horton, Inc., RL Grading, LLC, VL Concrete, Inc., and Jesus Hernandez Alvarez	Common Pleas	Spartanburg County, South Carolina
1/26/2020	T	Jessica Gooding	Judy Elaine Yates v. Baptist Easley Hospital	Common Pleas	Pickens County, South Carolina
2/26/2020	D	William A. Jordan	Elizabeth Ann Jones and Carlos Jones v. James Eric Richler, Martin Transportation Systems, Inc. and Penske Truck Leasing Co., L.P.	Common Pleas	Spartanburg County, South Carolina
3/2/2020	T	Jessica Gooding	Diane Connell v. Lexington County Health Services District, Inc., d/b/a Lexington Medical Center	Common Pleas	Lexington County, South Carolina
5/5/2020	D	J. Kirkman Moorhead	Jerry Garton, Paula Garton and Jerrod Thomas Garton v. Darius Davina and AnMed Health	Common Pleas	Anderson County, South Carolina
7/8/2020	D	J. Michael Jordan	American Concrete and Precast, LLC v. Indiana Phoenix, Inc.	U.S. District	District of South Carolina
7/14/2020	D	Andrew C. Barr	Pamela Tate v. Uster Technologies Vision Systems, Inc. dba/fka EVS-US, Inc. and Uster Technologies	Common Pleas	Pickens County, South Carolina
9/10/2020	D	Benjamin A. Parker	Ernestine A. Johnson v. Housing Authority of the City of Charleston, South Carolina	Common Pleas	Charleston County
9/22/2020	D	James R. Gilreath	Hampton Barringer Luzak v. Merrill B. Light, et al.	Common Pleas	Beaufort County
9/29/2020	D	Benjamin J. Miller	Deborah Bekolo, as next of kin and on behalf of wrongful death beneficiaries of Cynthia Mboe, deceased v. IRevive Health & Wellness, LLC; Jayme Rosenberger; Sarah St. Clair; and Bruce R. Goodman, M.D.	Circuit Court	Davidson County, Tennessee
10/15/2020	D	Wes A. Kissinger	Brian Keith Walker and Pamela Walker v. Teresa Dale McFarlane	Common Pleas	Spartanburg County, South Carolina
10/21/2020	D	Walt M. Wood	Andrea Kruzer, individually and as Administrator of the Estate of Daniel Kruzer v. The Charlotte-Mecklenburg Hospital Authority formerly doing business as Carolinas Healthcare System now doing business as Atrium Health; and William Turner Warsaw	General Court of Justice Superior Court Division	North Carolina Mecklenburg County
11/10/2020	D	Bill Padgett	Michael J. Kirby v. Red Bull North America	U.S. District	District of South Carolina

Charles L. Alford, Ph.D.
2021 Depositions, Trials & Arbitrations

Date	Deposition, Trial or Arbitration	Attorney	Case	Type of Court	Location
2/4/2021	D	Mark J. Bringardner	Daniel Medero Lopez v. Tailwind Transport, LLC and Vincent Leroy Jimno	U.S. District	District of South Carolina
3/10/2021	D	Robert F. Goings	Betsy B. Fox v. Walmart Inc., Walmart Stores East, L.P. et al	U.S. District	District of South Carolina
3/30/2021	D	Steven Blakely Smith	Steve Pillon and Anna Pillon v. Lordson Justice Koto, R. Wayne Bost Trucking, Inc., and Quality Carriers, Inc.	U.S. District	District of South Carolina
4/13/2021	D	Edward G. Connette	David R. Martin, Jr. v. Marine Services of Brunswick County, Inc.; Sea Tow Services International, Inc.; Ocean Isle Fishing Center, Inc.	General Court of Justice Superior Court Division	State of North Carolina County of Mecklenburg
4/14/2021	D	Benjamin J. Miller	Rudolph Ramirez, as Next of Kin of Jeanie Ann Ramirez, deceased, and on behalf of the wrongful death beneficiaries of Jeanie Ann Ramirez v. Morris W. Westmoreland, M.D. and Murfreesboro Surgical Specialists, PLLC	Circuit Court	Bedford County, Tennessee
4/22/2021	D	Bradley L. Lanford	Kevin Hunsaker v. C.R. Jackson, Inc., and Willie Anthony	Common Pleas	Sumter County, South Carolina
5/10/2021	D	Eric H. Philpot	Monica Kay Blair, Individually and as Personal Representative of the Estate of Bruce Blair v. South Carolina Department of Transportation	Common Pleas	Laurens County, South Carolina
5/28/2021	D	Rachel M. Noorhoek	Christopher Mammone v. Michael Walker, Har-Mar Company, Inc.; Evan Jeffrey Gaines and Ericka Holmes Cannady	Common Pleas	Lexington County, South Carolina
6/16/2021	T	Rachel M. Noorhoek	Christopher Mammone v. Michael Walker, Har-Mar Company, Inc.; Evan Jeffrey Gaines and Ericka Holmes Cannady	Common Pleas	Lexington County, South Carolina
7/16/2021	D	Stephen M. Cox	Emma Grace Caponigro v. Chad Vernon Clark and Triangle Electrical Services, Inc.	General Court of Justice Superior Court Division Common Pleas	State of North Carolina County of Mecklenburg Sumter County, South Carolina
8/31/2021	D	Tom A. Killoren, Jr.	Gregory & Sheila Elliott v. Concrete Supply Holdings and Concrete Supply Co., LLC	Common Pleas	Charleston County, South Carolina
9/9/2021	D	E. Grey Wicker	Crystal Hazel and Landon Hazel v. Bon Secours St. Francis Hospital, Joshua Eugene Luke, MD and Charleston Anesthesia Group, LLC	Common Pleas	Lexington County, South Carolina
9/16/2021	A	Hannah R. Metcalfe	Robin F. Cole v. Charter Communications	American Arbitration Association	
9/22/2021	D	Stephen R. H. Lewis	Mark A. Hinton, Administrator of the Estate of Devonya Michelle Davis v. Novant Medical Group, Inc., d/b/a Novant Health Gynecologic Oncology Associates and Janelle M. Fauci, M.D.	General Court of Justice Superior Court Division	State of North Carolina County of Mecklenburg
11/3/2021	D	Brad D. Hewett	David Ivanov, as Personal Representative of the Estate of Slavi Ivanov v. Coca-Cola Consolidated, Inc. and Curtis Boyd, and Curtis Boyd v. John Doe, PB Express Inc., and First Flower, LLC	Common Pleas	Orangeburg County, South Carolina
11/4/2021	D	Lance Cooper	Leslie Rusgrove, individually and as Personal Representative of the Estates of Thomas Ethan Rusgrove, Esther Rusgrove, and Jennie Rusgrove, Deceased, and as Next Friend of J.E.R. v. Bridgestone Americas, Inc.; Bridgestone Americas Tire Operations, LLC; Joey M. Lewis d/b/a Lewis Tires; Kevin Scott Thomas; and Kevin Scott Thomas d/b/a Thomas Construction	Common Pleas	Orangeburg County, South Carolina
11/8/2021	D	Neil E. Alger	James Welsh v. Eduviguez Hernandez Vail	Common Pleas	Jasper County, South Carolina
11/22/2021	D	J. Matthew Whitehead	Stephanie P. Parrott v. Darkshark Expediting, LLC and Benjamin D. Bajorek	Common Pleas	Greenville County, South Carolina
11/23/2021	D	J. Matthew Whitehead	Eugenia Carcano v. Benore Logistic Systems, Inc. and Joseph Selph	Common Pleas	Greenville County, South Carolina
12/2/2021	T	Charles B. Burnette, III	Sharon E. Smith v. John Louis Walch	Common Pleas	York County, South Carolina

Charles L. Alford, Ph.D.
2022 Depositions, Trials & Arbitrations

Date	Deposition, Trial or Arbitration	Attorney	Case	Type of Court	Location
1/20/2022	D	Bernie W. Ellis	Delta Apparel, Inc. v. Hanesbrands, Inc. and S&S Activewear, LLC	U.S. District	District of South Carolina
2/2/2022	D	Sarah Day Hurley	Roderick R. Ellsworth v. Fluke Corporation	U.S. District	District of South Carolina
3/14/2022	D	William A. Jordan III	Angie Gilstrap and Allen Gilstrap v. Rayman Associates Knoxville, LP, et al	Circuit Court	Knox County, TN
4/28/2022	D	Mark A. Peper	Richard C. Gress v. Van Smith Company, Inc. and Melvin Hunter, Sr.	Common Pleas	Charleston County, SC
4/28/2022	T	Mark A. Peper	Richard C. Gress v. Van Smith Company, Inc. and Melvin Hunter, Sr.	Common Pleas	Charleston County, SC
5/3/2022	D	Timothy D. St. Clair	Robert Bosch Tool Corporation v. Delta Power Equipment Corporation	U.S. District	District of South Carolina
7/19/2022	D	Brady R. Thomas	John Douglas Deloache individually and as Personal Estate for the Estate of Karl Lemond Deloache v. Roper Radiologist P.A., Jay B. Robards, M.D., James M. Orcutt, M.D., Scott R. Dixon, DO	Common Pleas	Charleston County, SC
7/26/2022	D	Robert Jones	Nityanand Kore, individually and as Administrator of the Estate of Renuka Bavachi v. The Charlotte-Mecklenburg Hospital Authority formerly doing business as Carolinas Healthcare System now doing business as Atrium Health, Atrium Health, Inc., Carolinas Physicians Network, Inc., Atrium Health Piedmont Gyn/Ob - Rock Hill, and Susan Demchak, MD	General Court of Justice Superior Court Division	State of North Carolina Mecklenburg County
8/19/2022	T	William A. Jordan III	Angie Gilstrap and Allen Gilstrap v. Rayman Associates Knoxville, LP, et al	Circuit Court	Knox County, TN
9/13/2022	T	Bert G. Utsey	Melvin R. Riddle v. Cannon Memorial Hospital, Inc. d/b/a AnMed Health Cannon, Michael L. Dillard, MD., Michael E. Donald, MD., and James C. Caldwell, MD	Common Pleas	Pickens County, SC
11/4/2022	D	Robert F. Goings	Helena Davis v. M.A.G. Enterprises	Common Pleas	Cherokee County, SC

Charles L. Alford, Ph.D.
2023 Depositions, Trials & Arbitrations

Date	Deposition, Trial or Arbitration	Attorney	Case	Type of Court	Location
1/9/2023	D	Stephen S. Wilson	Faron Jackson v. Maxima Freight Lines	Common Pleas	Spartanburg County
1/12/2023	D	Zachary L. Weaver	Western Pharmacy Group, LLC d/b/a Medical Center Pharmacy v. J.M. Smith Corporation, d/b/a QSI Data Systems	U.S. District	District of South Carolina
1/18/2023	D	E. Wade Mullins, III	Robert E. Bell, M.D. v. Beaufort Memorial Hospital, Edmond Russell Baxley, III, Karen Manuel Carroll a/k/a Karen L. Carroll, Gae Ann Moffitt and Kurt Michael Gamble, D.O.	Common Pleas	Beaufort County
1/23/2023	D	John C. Moylan, III	Michelle Cha Holliman, individually and as personal representative of the Estate of Allen B. Holliman v. We Are Sharing Hope SC, Medical University of South Carolina, United Network for Organ Sharing, Jaqueline Honig, M.D. and Darla Welker, Aaliyah Patterson, as Administratrix for the Estate of Joe Patterson v. We Are Sharing Hope SC and United Network for Organ Sharing, Elizabeth Davies, M.D., Jaqueline Honig, M.D. and Darla Welker	Common Pleas	Charleston County
2/16/2023	D	Jessica J. Gooding	Frank Black v. Concentra, Inc., Concentra South Carolina, LLC, Concentra Health Services, Inc., Concentra Integrated Services, Inc., American Current Care, P.A., Carolina Occupational Medicine, Occupational Health Centers of the Southwest, P.A., and John D. Hynes, M.D.	Common Pleas	Richland County
3/15/2023	D	Ashby W. Davis	Wilma Thompson v. The Urology Center of Spartanburg, P.C., and Robert G. Britanisky, MD	Common Pleas	Spartanburg County
4/13/2023	T	Robert F. Goings	Crystal Goodwin v. Midlands Orthopaedics and Neurosurgery	Common Pleas	Richland County
4/27/2023	D	Lola S. Richey	Beverly Stokes Rogers v. Kevin Wayne Wallace, Ray Walker Trucking, Co., Inc.	Common Pleas	Greenville County
5/8/2023	D	Karlen K. Senn	Leah Joe, as Personal Representative of the estate of James Joe v. T&K Tank Services, Inc., and Richard Smoot	Common Pleas	Sumter County
5/11/2023	D	Jon Simon Stefanuca	Alara Lineberry, a minor suing by her parents and next friends, Kaycee Dimmick and Bradford Lineberry, and Kaycee Dimmick, individually and Bradford Lineberry, individually v. Saint Thomas Health, d/b/a Ascension Saint Thomas; Saint Thomas Midtown Hospital, Saint Thomas West Hospital d/b/a Ascension Saint Thomas Hospital Midtown; Saint Thomas West Hospital d/b/a Ascension Saint Thomas Hospital, Saint Thomas West Hospital d/b/a Ascension Saint Thomas Midtown; Saint Thomas West Hospital f/k/a Saint Thomas Midtown Hospital; Anthony E.D. Trabue, M.D., P.C. and Anthony E.D. Trabue, M.D. (a/k/a Anthony E. Trabue, M.D. and Anthony Trabue, M.D.)	First Circuit Court	Davidson County, TN
5/15/2023	D	Lee D. Cope	Scott M. Hunter and Eliza Hunter v. Beaufort Memorial Hospital, Robert H. Escarza, MD and ACS Emergency Physicians of SC, PC	Common Pleas	Beaufort County
6/13/2023	T	T. Jeff Goodwyn, Jr.	Jayne M. Fountain v. Aubrey R. Poplin	Common Pleas	Lexington County
7/26/2023	D	Susan P. MacDonald	Houston Garcia v. The Marina Inn & Villas Condominium Association, Inc. d/b/a The Marina Inn at Grande Dunes; Vista Marina Inn Hotel, LLC d/b/a The Marina Inn at Grande Dunes; Vista Marina Inn, Inc.	Common Pleas	Horry County
8/8/2023	D	Steven Blakely Smith	Dana Keizer v. Michael Seemuller, MD, AnMed Health Services, Inc., d/b/a AnMed Health; Wren Family Medicine	Common Pleas	Anderson County
8/30/2023	D	David E. Rothstein	Summer D. Lashley, Ph.D. v. Spartanburg Methodist College; W. Scott Cochran; Mark W. Gibbs, Ph.D.; Teresa D. Ferguson; Jonathan J. Keisler, Ph.D.; Angelia A. Turner, and Clevon A. Boyd, in his individual capacity	U.S. District	District of South Carolina
10/6/2023	D	David R. Price, Jr.	Sheri Ann Wilson v. Easley Downtown Investments, LLC and Connect Property Management, LLC	Common Pleas	Anderson County
11/6/2023	D	W. Grady Jordan	Johnnie Gary Tucker, individually and as Personal Representative of the Estate of Kenneth Lashon Tucker v. Greenville County, Scotty Bodford, April Roberts, Michael A. Childers; Mathieu J. Charrier; Laura A. Miller, Louis Provo, Lauren Rentz, Martin Lutz, M.D., Sarah Fabiano, M.D., Ernest Martin, M.D., and Prisma Health-Upstate	U.S. District	District of South Carolina Charleston Division
12/5/2023	D	Francis M. Hinson, IV	Stephanie Ybarra and Carlos Ybarra v. Prisma Health-Midlands; Palmetto Health USC Medical Group; and Colonial Healthcare, Inc. d/b/a Colonial Neurology, Michael Todd Warwick M.D.; Douglas Nathaniel Dow P.A. and John Kenneth Baker M.D.	Circuit Court	Richland County

2024 Depositions, Trials & Arbitrations

Date	Deposition, Trial or Arbitration	Attorney	Case	Type of Court	Location
3/6/2024	D	David R. Price, Jr.	Balvina Soto, as Personal Representative of the Estate of Lizette Soto-Diaz v. Jackson James Smith, Gregory Scott Smith, Krista D. Smith, Jennifer Graf Smith, 7-Eleven, Inc.; Hareem, LLC d/b/a 7-Eleven; Jalaram 2, Inc., d/b/a Ed's GT's Express Mart; and Sai Properties, LLC, d/b/a GT's Express Mart	Common Pleas	Spartanburg County
3/21/2024	D	Matthew J. Jeperfinger	Donna Haile v. Omnimed, LLC; Jason T. Givens, MD; and Rebecca Moore	Common Pleas	York County